

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>James Wesley Butler</p>	<p><i>For U. S.:</i> Hubert H. Bryant Asst. U. S. Atty. Tulsa, Okla.</p> <p><i>For Defendant:</i> Lawrence A. McSoud Center Building Tulsa, Okla.</p>

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-71	Clerk						
J.S. 3 mailed 3-31-71	Marshal						
Violation NSPA	Docket fee						
Title 18							
Sec. 2314							

DATE	PROCEEDINGS
1-21-71	Indictment, filed in open court. b
1-21-71	Record vote of the grand jury filed in open court. b
1-21-71	Bond of the defendant in the sum of \$2,500.00, surety - United Bonding Insurance Company, filed. (Van Raulston) b
1-21-71	Order specifying the methods and conditions of release, filed. b
2-2-71	Defendant present in person and represented. Defendant arraigned and enters pleas of NOT GUILTY as to Cts. 1&2. Defendant's request to have defendant mentally examined, taken under advisement pending filing of formal application. Hearing on application for mental examination set on Tues. Feb 9, 1971 at 10:00 A.M. Def. to remain on present bond. (AEB-J)h
2-4-71	Motion for determination of mental competency, filed. m
2-4-71	Brief in support, filed. m
2-9-71	Defendant present in person and represented. Hearing held. Defendant's motion for mental examination is granted by the court, with no objection by the government, and defendant is referred to Dr. O'Carroll for mental examination, and hearing on determination of examination is set on Tues. Feb. 23, 1971 at 10:00 A.M. Proper order to be prepared by defendant, <del>and case stricken from jury docket of 2-16-71.</del> (AEB-J)h

(OVER)

DATE	PROCEEDINGS
2-16-71	It is ordered by the Court, Hearing on determination of Examination set on Feb. 23, 1971, is stricken from the docket, to be reset by the Court, & to be set on the next Jury Docket. (AEB-J). js
2-17-71	Order for Determination of Mental Competency, and order that this matter be set for hearing before the Court at 10:00 A.M., February 23, 1971, for evaluation of mental examination. Filed. (AEB-J)r
2-23-71	Case is passed until March 16, 1971 at 10:00 a.m. (AEB-J)ds
3-16-71	Order of the court that the hearing set for 3-16-71 at 10:00 a.m. be passed until March 22, 1971 at 10:00 a.m.. (AEB-J). js
3-22-71	Hearing held. Def. present and rep. Mental Report of Dr. O'Carroll submitted, finding defendant incompetent, and further hearing passed to 2:00 P.M. 3-23-71.(AEB-J)h
3-23-71	Further hearing on motion for mental examination held. Def. present and rep. Statements made. It is ordered that motion heretofore sustained, and court appointed psychiatrist Dr. O'Carroll finds that def. was not competent at time of offense and did not know nature of his acts at time committed, and court concurs with report. Govt announces that they will move for dismissal of indictment upon receipt of proof of commitment of defendant in V.A. Hospital.(AEB-J)h
3-26-71	Order that defendant is not mentally competent to stand trial, nor competent to assist an attorney, that the defendant provide his own transportation and admit himself to the authorized Veterans Administration Hospital as recommended by the examining physician, and upon verification that the defendant has been accepted and admitted for treatment at the Veterans Administration hospital, the indictment is hereby dismissed, filed. (AEB-J)g
4-14-71	Dismissal of Indictment, Leave of Court (AEB-J). filed and entered. js

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C. Silver 411 U. S. Courthouse, Tulsa, Okla.  
(Name of commissioner) (Address)

COMMISSIONER'S  
DOCKET No. 1 CASE No. 165  
THE UNITED STATES  
vs.

James Wesley Butler

November 20, 1970  
Complaint filed on ~~XXXXXX~~ by William L. Buchanan  
Official title Special Agent, FBI, charging violation of  
United States Code, Title 18, Section 2314, on Aug. 31,  
1970, at Tulsa, Okla. in the  
division of the Northern district of Oklahoma  
as follows: transported in interstate commerce from  
Tulsa to Los Angeles a stolen & altered security,  
to-wit: Warrant #C2847892, C2847894 dated Aug. 4,  
1970, in the amount of \$17,000.00 for each.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Warrant/Summons for  
to (name and title of officer) Substance of return  
Date Warrant/Summons for  
to (name and title of officer) Substance of return

FILED

DEC 16 1970

JOHN H. POE, Clerk  
U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Nov. 20, 1970 Arrested by Wm. L. Buchanan  
SA FBI  
Appearances { for United States Nathan ~~XXXXXX~~ Graham U.S. Atty.  
{ for accused  
(Name) (Address)

Proceedings taken on November 20, 1970, the accused present and not represented

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"  
Counsel. The accused was advised to his rights and to a Preliminary Hearing,  
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
and the charge filed against him. The accused waives his rights to counsel,  
if that is the fact; any adjournments taken, etc.  
with the preliminary hearing set for Dec. 4, 1970 at 10:00 A.M.. Bond is set  
in the amount of \$2,500.00, the accused makes bond and is release. The accused  
called on Nov. 25, 1970 and said the Mr. Larry ~~XXXXXX~~ McSoud was his atty.

~~XXXXXX~~ Dec. 4, 1970.

Outcome the accused is bound over for Court Action in the Dist. Court

Bail fixed Nov. 20, 1970 Amount, \$ 2,500.00 Bonded Nov. 20, 1970 by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to  
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date Dec. 4, 1970 Appearances for

{ United States (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
Accused (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

William L. ~~XXXXXXXX~~ Buchanan

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
Proceedings taken on Dec. 4, 1970, preliminary examination held, 1/ w/s.  
~~XXXX~~ James Wesley Butler present in person and represented by Larry McSoud,  
the government represent by Hubert H. Bryant. William L. Buchana sworn and  
testified. The defendant advised as to his rights to testify and refused to  
testify or offer any witnesses.  
Commissioner finds that there is probable cause to belive that the offense  
so charged has been committed and that he has committed it. Defendant to be  
held for Court action. Bond is too stay the same, in the amount of \$2,500.00.

Outcome\_\_\_\_\_  
Bail fixed\_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_ Bonded\_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_\_ Address\_\_\_\_\_  
transmitted to clerk of district court\_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names)\_\_\_\_\_ Address\_\_\_\_\_  
and\_\_\_\_\_ Address\_\_\_\_\_  
who justified by affidavit\_\_\_\_\_, 19\_\_\_\_ Committed to\_\_\_\_\_  
on\_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 4th day of December, 19 70.

Transmitted to Clerk of United States District Court for the Northern  
district of Oklahoma, December 4, 19 70.



United States Commissioner.